

03-04-02

Docket No. 356A PCT/USC1

A

## REQUEST FOR FILING A CONTINUATION PATENT APPLICATION UNDER 37 CFR 1.53(b)(1)

Box Patent Application  
Assistant Commissioner for Patents  
Washington, DC 20231

This is a request for filing a (X) continuation application under 37 CFR 1.53(b), of pending prior application Serial No. 09/367,170 filed on August 9, 1999, of:

Inventor(s) : Franklin Cerasoli, Jr. of 101 Blanchette Drive, Marlborough, MA, 01752, USA  
Title : Expression of Proteins for Treating Asthma Via Ligand Mediated Activation of Their Encoding Genes

- [X] 53 Sheets of Specification, 2 Sheets of Claims, 1 page Abstract of the Disclosure,  
[X] Preliminary Amendment, 1 page  
[X] Verified Small Entity Statement, 1 page [X] Return receipt postcard  
[X] Declaration and Power of Attorney of 09/367,170, 2 pages  
[X] Recorded Assignment and Corrected Recorded Assignment of 09/367,170, 9 pages  
[X] Copy of a Petition for a Five-month Extension of Time which was filed on March 1, 2002, in the parent application Serial No. 09/367,170, 4 pages

I hereby verify that the attached papers are a true copy of the prior application Serial No. 09/367,170 originally filed on August 9, 1999. The prior application is assigned to ARIAD Gene Therapeutics, Inc.

The filing fee has been calculated as shown below:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
BASIC FEE				\$ 740.00
TOTAL CLAIMS	12 - 20 =	0	0 x 18 =	\$ 0.00
INDEP CLAIMS	3 - 3 =	0	0 x 84 =	\$ 0.00
[X] MULTIPLE DEPENDENT CLAIM PRESENTED			\$280.00	\$280.00
TOTAL (if Large Entity)				\$1020.00
TOTAL (if Small Entity)				\$ 510.00

- [X] Please charge **Deposit Account No. 01-2315** for small entity status in the amount of **\$510.00**.  
[X] The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 01-2315. A duplicate copy of this letter is enclosed.  
[X] Any additional filing fees required under 37 CFR 1.16.  
[X] Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

*David L. Berstein*

Date

*March 1, 2002*

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Express Mail Label **ET077987364US** Date of mailing **March 1, 2002**  
I hereby certify that this document is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" under 37 CFR §1.10 on the date indicated above and is addressed to: Box Patent Application, Assistant Commissioner of Patents, Washington, DC 20231  
Signed. *Sue Wilson*  
Sue Wilson

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